

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

HUBIE R. HUNTSMAN,)
)
Plaintiff,)
)
v.) Case No. 04-3471-CV-S-SWH
)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
)
Defendant.)

ORDER

Plaintiff filed a Motion for Application for Attorney's Fees Under Equal Access to Justice Act (doc. # 19) seeking an award of \$2,201.60 for attorney fees, expenses of \$44.70 and \$150.00 for the filing fee. The attorney fee request seeks recovery for 17.2 hours of attorney time at the rate of \$128.00 per hour.

Defendant agrees that attorney fees and expenses of \$2,246.30 should be awarded under the Equal Access to Justice Act (EAJA). However, defendant asks that costs in the amount of \$150.00, which represents plaintiff's filing fee, be awarded from the Judgment Fund administered by the United States Treasury Department. (Doc. # 20) Therefore, it is

ORDERED that plaintiff's Motion for Application for Attorney's Fees Under Equal Access to Justice Act, doc. # 19, is granted. Attorney fees and expenses of \$2,244.30 are awarded under the EAJA; it is further

ORDERED that pursuant to 31 U.S.C. § 1304 plaintiff is reimbursed \$150.00 for the United States District Court filing fee from the Judgment Fund administered by the United States Treasury Department.

/s/ Sarah W. Hays
SARAH W. HAYS
UNITED STATES MAGISTRATE JUDGE